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September 14, 2021

<u>**VIA ECF**</u>

The Honorable Noel L. Hillman, U.S.D.J.
United States District Court
Mitchell H. Cohen Building & U.S. Courthouse
4th & Cooper Streets
Camden, NJ 08101

Re: Raymond Lamar Brown, et al. v. Charles Warren, et al.
         <u>**Case No. 20-cv-7907-NLH-KMW**</u>

Dear Judge Hillman,

I write on behalf of Plaintiffs in anticipation of the hearing tomorrow to address two matters.

First, while we do not believe that this was specifically addressed by the Court, it is Plaintiffs' understanding that Defendants will go forward with their case first to establish compliance with the Court's August 6th and September 7th Orders. Defendants have the obligation to comply with the Orders and clearly have the information in their possession necessary to demonstrate what actions they have taken and when those actions were taken. They will also have the opportunity to offer evidence in response to the Certifications filed by and on behalf of Plaintiffs on August 17th concerning conditions in the Jail and compliance with the Court's August 6th Order, as to which, to date, Defendants' response has been limited to unsubstantiated statements made by Mr. Zeff during the hearing on August 18th. Plaintiffs would like the opportunity to rebut any evidence offered, as appropriate.

Second, as to Plaintiff Carlos Soler, we have been informed by Bayside State Prison that Mr. Soler remains in COVID-19 quarantine after being transferred to that facility. Mr. Soler will not be released from the quarantine until September 24th. Given that, he will not be available to offer testimony during the hearing tomorrow.

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Respectfully submitted,

/s/ Karen A. Confoy

Karen A. Confoy

KAC:nmn

cc: All Counsel of Record (via ECF)